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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/773,325

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Jung Ug Han

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EXAMINER

CHIN, PAUL T

ART UNIT

PAPER NUMBER

3652

MAIL DATE

DELIVERY MODE

07/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/773,325	Applicant(s) HAN ET AL.	
	Examiner PAUL T. CHIN	Art Unit 3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-21 and 27-29 is/are allowed.
- 6) ☒ Claim(s) 22-26 and 30-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 22-24 and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Itoh et al. (6,406,246) (see PTO-892).

With respect to claims 1 and 22, Itoh et al. (6,406,246) discloses a tray transferring apparatus comprising a main frame (234), a fixing means (238,238) installed on the main frame (234), the fixing means substantially being coupled to a first tray (KST, 205) (see Fig. 3), guiding pins (238,238) (see Fig. 3), which can be considered as a correcting means, for correcting the tray, a hook (240), which can be considered as a gripping means, for gripping a handling tray, and at least one sensor (243), a proximity sensor (Col. 5, lines 43-51) for sensing. Figure 3 shows a first link (242) (see Fig. 3), which can be considered as a first fixing unit, installed in one side of the main frame (235), and a second link (242), which can be considered as a second fixing unit, installed the other side of the main frame (235). Itoh et al. (6,406,246) further shows a cylinder assembly, which is a driving unit, for driving a gripping unit (240,240), and a hole on the main frame (235), which can be considered as a guide unit. The gripping unit comprises a plurality of grippers (240,240) disposed on opposite side of the main frame (235), and the linkages (242), which can be considered as gripper plates, disposed on opposite side of the main frame (235).

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3. Claims 22-26, 30, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by the Japanese Patent (JP 3-178792) (see PTO-892).

The Japanese Patent (JP 3-178792) shows a transferring apparatus comprising a main frame (4), a fixing means (52) installed in the main frame, and grippers (55, 55) to hold trays.

Re claims 24-26, figure 7 shows biasing means, a spring (11), to correct the tilt angle of the gripped object.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itoh et al. (6,406,246) (see PTO-892) in view of Okugi (6,379,103) (see PTO-892).

Itoh et al. (6,406,246) shows guiding pins (239,239), which can be considered as a correcting means, mounted on first and second ends of the main frame (235) to press against the fixed tray. Itoh et al. (6,406,246) does not show first and second elastic members to press against the tray. However, Okugi (6,379,103) teaches a biased means (60d) (Fig. 1A) to press against a frame. Accordingly, it would have been obvious to those skilled in the art to provide a biased means (instead of guiding pins) on the main frame of Itoh et al. (6,406,246) as taught by Okugi (6,379,103) to resiliently bias against the gripped object. Moreover, it also would have been obvious to those skilled in the art to provide a spring each pin (instead of a fixed guide pin) on the Itoh et al.

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(6,406,246) to provide a resilient guide pin to prevent the damaging of the gripped object.

6. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Japanese Patent (JP 3-178792) (see PTO-892) in view of Itoh et al. (6,406,246) (see PTO-892).

The Japanese Patent (JP 3-178792) does not show a sensor. However, Itoh et al. teaches at least one sensor (243), a proximity sensor (Col. 5, lines 43-51) for sensing. Accordingly, it would have been obvious to those skilled in the art to provide a sensor on the Japanese Patent (JP 3-178792) as taught by Itoh et al. (6,406,246) to sensor the gripped object.

Allowable Subject Matter

7. Claims 1-20 and 27-29 are allowed.

Response to Arguments

8. Applicant argues that JP '792 neither discloses nor suggests such feature "to hold a second tray". The argument is not persuasive. Claim 22 only recites "a second tray adjacent a side of the first tray opposite the main frame" and JP '792 is capable of performing the functional limitation (i.e., holding a second tray).

9. ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL T. CHIN whose telephone number is (571) 272-6922. The examiner can normally be reached on MON-THURS (7:30 -6:00 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saul Rodriguez can be reached on (571) 272-7097. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


/PAUL T. CHIN/

Primary Examiner, Art Unit 3652

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<div>Application Number</div> <div></div>	Application/Control No.	Applicant(s)/Patent under Reexamination	
	10/773,325	HAN ET AL.	
	Examiner	Art Unit	
	PAUL T. CHIN	3652	